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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,777	09/25/2003	Kuniko Yamasaki	C14-161743M/ISI	4359

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EXAMINER
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MUHAMMED, ABDUKADER S

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/17/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/669,777	<b>Applicant(s)</b> YAMASAKI ET AL.	
	<b>Examiner</b> Abdukader Muhammed	<b>Art Unit</b> 2635	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Drawing*

2. Figure 6 should be designated by a legend such as --**Prior Art**-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

3. The disclosure is objected to because of the following informalities: (references are made from the publication, US 2004/0106392 A1, for simplicity in this section only)

Page 1, paragraph [0016], line 4 "in this **duel** mode" should be "in this **dual** mode" to be consistent.

In "detailed description of the preferred embodiments" section, paragraphs [0032], [0033], [0034], and [0035] are redundant, that is they are duplicates of paragraph [0020], [0021], [0022], and [0023] respectively.

Paragraphs [0036], [0037], [0038], and [0039] should be in the "summary of the invention" section.

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Page 7, paragraphs [0099], line 1 “at step S” should be “at step S22” to be consistent.

Appropriate correction is required.

***Claim Objections***

4. Claims 1 and 2 are objected to because of the following informalities:

In claim 1, line 5 “a select unit” does not show a clear feature; changing to “a selection unit” or “a selector” is suggested.

In claim 2, line 7 “a select unit” does not show a clear feature; changing to “a selection unit” or “a selector” is suggested.

In claim 2, line 12 “a operation” should be “an operation” to be consistent.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 are rejected under 35 U.S.C. 102(a) as being anticipated by Nicholson et al. (US 6,330,337 B1).

Regarding Claim 1, Nicholson et al. teach a play-back device comprising: A play-back device comprising: a plurality of play-back sources (AM/FM tuner, CD player, DVD player and video game player; see figure 1 and column 3, lines 5-9); a plurality of output units for

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outputting the play-back signals from the individual play-back sources (speaker, headphone and video display; see figures 1 and 2 and column 4, lines 1-6); a select unit for selecting at least one of the play-back sources (main selector switches 50 and 51 also first and second source selector switches 41 and 42; see figure 2 and column 3, lines 39-50); and a control unit (microcontroller, see column 3, lines 40-49) for controlling the select unit so as to select the at least one of the play-back sources for outputting the play-back signals to be outputted to the output units, in response to an operation. Note that Nicholson et al. also teach in dual play mode the control unit checks if the tuner is producing only one broadcast signal and inhibits a selection of multiple broadcasting (see column 4, lines 21-29).

Regarding Claim 2, Nicholson et al. teach a play-back device comprising: a plurality of play-back sources including a broadcast receiving unit receiving broadcasts of a plurality of broadcasting bands (AM/FM tuner, CD player, DVD player and video game player; see figure 1 and column 3, lines 5-9); a plurality of output units for outputting the play-back signals from the individual play-back sources (speaker, headphone and video display; see figures 1 and 2 and column 4, lines 1-6); a select unit (main selector switches 50 and 51 also first and second source selector switches 41 and 42; see figure 2 and column 3, lines 39-50) for selecting at least one of the play-back sources and for selecting at least one of the broadcasting bands, which is received by the broadcast receiving unit; and a control unit (microcontroller, see column 3, lines 40-49) for controlling the select unit so as to select the at least one of the broadcasting bands to be outputted to the at least one of the output units, in response to a operation, wherein the control unit controls the select unit, when the control unit detects the operation, so as to inhibit the changing and selecting actions of the broadcasting bands relating to the broadcast receiving unit,

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in case the play-back signals to be outputted to the output units other than the at least one of the output units relating to the operation is the play-back signals from the broadcast receiving unit (see column 4, lines 21-29 for inhibition of multiple bands).

Regarding Claim 3, as applied to claim 2 above and Nicholson et al. further teach that the control unit controls the select unit, when the control unit detects the operation, so as to inhibit the changing and selecting actions to the at least one of the broadcasting bands relating to the operation to switch the broadcasting bands. Nicholson et al. teach in dual mode when tuner is selected playing multiple bands is inhibited (see column 4, lines 21-29).

Regarding Claim 4, as applied to claim 1 above and Nicholson et al. further teach that one of the output units is a speaker (speaker; see figure 2), and at least one of the output units is a headphone (headphone, see figure 2 and column 4, lines 1-6).

Regarding Claim 5, as applied to claim 2 above and Nicholson et al. further teach that one of the output units is a speaker (speaker; see figure 2), and at least one of the output units is a headphone (headphone, see figure 2 and column 4, lines 1-6).

Regarding Claim 6, as applied to claim 2 above and Nicholson et al. further teach that the broadcast receiving unit is an AM/FM broadcast receiver receiving an AM broadcast of an AM broadcasting band and an FM broadcast of an FM broadcasting band (see figure 1).

7. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobata et al. (US 6,845,308 B2).

Regarding Claim 1, Kobata et al. teach a play-back device comprising: A play-back device comprising: a plurality of play-back sources (cassette player, CD player, DVD player and radio tuner; see figure 1 and column 3, lines 29-35); a plurality of output units for outputting the play-back signals from the individual play-back sources (rear and front speakers 3,4,5, and 6; headphones 7 and 8; see figures 1 and column 3, lines 19-24); a select unit for selecting at least one of the play-back sources (first and second switching circuits 18 and 19; see figure 1 and column 3, lines 34-38); and a control unit (microcomputer 21, see figure 1 and column 3, lines 38-44) for controlling the select unit so as to select the at least one of the play-back sources for outputting the play-back signals to be outputted to the output units, in response to an operation. Note that Kobata et al. also teach in dual play mode the control unit checks if the tuner is producing only one broadcast signal and inhibits a selection of multiple broadcasting (see column 5, lines 13-17).

Regarding Claim 2, Kobata et al. teach a play-back device comprising: a plurality of play-back sources including a broadcast receiving unit receiving broadcasts of a plurality of broadcasting bands (cassette player, CD player, DVD player and radio tuner; see figure 1 and column 3, lines 29-35); a plurality of output units for outputting the play-back signals from the individual play-back sources (rear and front speakers 3,4,5, and 6; headphones 7 and 8; see figures 1 and column 3, lines 19-24); a select unit (first and second switching circuits 18 and 19; see figure 1 and column 3, lines 34-38) for selecting at least one of the play-back sources and for selecting at least one of the broadcasting bands, which is received by the broadcast receiving unit; and a control unit (microcomputer 21, see figure 1 and column 3, lines 38-44) for controlling the select unit so as to select the at least one of the broadcasting bands to be outputted

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to the at least one of the output units, in response to a operation, wherein the control unit controls the select unit, when the control unit detects the operation, so as to inhibit the changing and selecting actions of the broadcasting bands relating to the broadcast receiving unit, in case the play-back signals to be outputted to the output units other than the at least one of the output units relating to the operation is the play-back signals from the broadcast receiving unit (see column 5, lines 13-17 for inhibition of multiple bands).

Regarding Claim 3, as applied to claim 2 above and Kobata et al. further teach that the control unit controls the select unit (see column 3, lines 38-44), when the control unit detects the operation, so as to inhibit the changing and selecting actions to the at least one of the broadcasting bands relating to the operation to switch the broadcasting bands. Nicholson et al. teach in dual mode when tuner is selected playing multiple bands is inhibited (see column 5, lines 13-17).

Regarding Claim 4, as applied to claim 1 above and Kobata et al. further teach that one of the output units is a speaker (rear and front speakers 3,4,5, and 6; see figures 1 and column 3, lines 19-24), and at least one of the output units is a headphone (headphones 7 and 8; see figures 1 and column 3, lines 19-24).

Regarding Claim 5, as applied to claim 2 above and Kobata et al. further teach that one of the output units is a speaker (rear and front speakers 3,4,5, and 6; see figures 1 and column 3, lines 19-24), and at least one of the output units is a headphone (headphones 7 and 8; see figures 1 and column 3, lines 19-24).

Regarding Claim 6, as applied to claim 2 above and Kobata et al. further teach that the broadcast receiving unit is an AM/FM broadcast receiver receiving an AM broadcast of an AM



broadcasting band and an FM broadcast of an FM broadcasting band (radio tuner [9] has AM and FM; see figure 1 and column 3, lines 25-28).

### ***Conclusion***

8. The prior art made of record in PTO-892 Form and not relied upon is considered pertinent to applicant's disclosure.

Yasuhara (US 2003/0053638 A1) teaches an entertainment system mounted on a vehicle that comprises a plurality of audio sources. Controllers are provided in the front and rear seat area. Thus, a front user can operate the rear audio source. The entertainment system switches between connection and disconnection of the rear speakers according to whether the front audio source is the same as the rear audio source (see figure 1 and 9).

Huemann et al. (US 5,661,811) teach A microprocessor controlled automotive audio system with radio, cassette tape, and/or compact disk media has a rear seat control with headphones allowing rear passengers to turn off the rear speakers, turn on the headphones and select any media, while the front speakers play programs selected by a front control.

Nashif et al. (US 2005/0032500 A1) teach an automotive multimedia entertainment system having an audio system connected to multiple audio input sources and a headphone. The audio system includes front and rear channels that can be configured independently. The headphone is connected to the audio system over a two-way wireless communication link. A set of controls are integrated into the headphone for configuring the audio system across the two-way wireless communication link.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdukader Muhammed whose telephone number is (571) 270-1226. The examiner can normally be reached on Monday-Thursday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. Customer Service can be reached at (571) 272-2600. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*am*

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05 January 2007

A handwritten signature in black ink, appearing to read "Marvin Lateef", written in a cursive style.

**MARVIN LATEEF  
SUPERVISORY PATENT EXAMINER**